

Personnel Quiz

Representative Bow of Ohio succeeded a week ago in tacking a most mischievous amendment onto a simple piece of legislation designed to relieve the Federal Bureau of Investigation of certain preliminary investigative chores in connection with Government personnel clearance. The legislation had been passed by the Senate in accordance with an earnest and forceful recommendation by FBI Director J. Edgar Hoover. Its effect was merely to transfer to the Civil Service Commission the responsibility for the initial inquiry into the records of applicants for jobs in those agencies where Congress has stipulated that an investigation should precede employment. The FBI itself would undertake a full field investigation into any case concerning which the CSC initial inquiry uncovered any "derogatory" information.

Mr. Bow's amendment, which must have seemed innocuous to unwary members of the House, provided that "all findings, records, and reports made or compiled by the Civil Service Commission under this act shall be made available to the committees of the Congress upon the request of such committee." Representative Miller of California expressed opposition to this proposal on the general ground that it constituted "an encroachment on the administrative branch of the Government"; he might well, we think, have argued that it violates the spirit at least of the constitutional separation of powers.

Beyond this philosophical flaw, however, lies the more practical objection that it would strip the loyalty-security program in these cases of the secrecy intended to protect innocent persons from unjust accusation. The raw files of the Civil Service Commission investigators, including all that they might pick up of malice, gossip, prejudice and other unsifted, unevaluated information from anonymous sources, could be exposed to the public at the whim of any congressional committee. It is possible, indeed, that this amendment might require the CSC to turn over to a committee the reports of FBI investigators in cases where derogatory information had required a full field investigation. And this would put in jeopardy the FBI's confidential sources of information.

If the Government is going to operate a personnel clearance system with "reasonable doubt" as a standard of judgment and with reliance upon anonymous hearsay, then the least it must do as a matter of elementary fairness is to give the individuals it investigates the protection of secrecy. These applicants for Government jobs have none of the ordinary protections of the law.

When they are accused, they do not learn the identity of their accusers, they cannot confront and cross-examine them; they cannot subpoena witnesses in their own behalf; they are denied the benefit of any doubts; they are denied even findings of fact or any written determination by the tribunal judging them. If unproved charges concerning them can be made public without giving them any effective chance at refutation, an application for a Federal job will be tantamount to putting one's head in a noose.

We trust that the Senate will stand firm against this dangerous amendment when the bill goes to conference. Its effect, if it is grafted onto the legislation, will certainly be to invite a presidential veto. Thus it threatens a measure which is urgently needed to relieve the FBI of an intolerable burden. The bureau needs all the men it has available for Federal law enforcement activities and for the investigation of serious threats to the national security. It should be freed for this important work—and without any further debasement of the loyalty-security program.

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

Times-Herald _____
Wash. Post 12 _____
Wash. News _____
Wash. Star _____
N.Y. Mirror _____
N.Y. Compass _____

Letter to Philip L. Graham (enc.)
3-20-52
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MAR 20 1952
Date